REMARKS

Claims 1-19 are pending in this application. Claim 5 was rejected under 35 U.S.C. §112. Claims 1-3, 7-10 and 13-18 were rejected under 35 U.S.C. §101. Claims 1-19 were rejected under 35 U.S.C. §102(b) as being anticipated by Culler. Claim 5 is currently amended. Reconsideration is respectfully requested.

Claim 5 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite because of lack of antecedent basis for the limitation "the memory." Claim 5 has been amended to recite "<u>further including a</u> memory <u>that</u> includes RAM, cache memory and queue memory." Withdrawal of the rejection is requested.

Claims 1-3, 7-10 and 13-18 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. In particular, the Office suggests that the claims are inappropriately worded software claims, and the Office suggests that Applicant admitted in the previous response that the invention may be embodied in a computer program for use with a processor, although Applicant merely quoted a passage from the specification. Since any given patent application may include multiple inventions, each of which can be claimed in multiple different ways, some of which may include software and some of which may not, the focus of the §101 inquiry should be on the claims. In other words, just because the invention may be implemented in software, it does not follow that the invention cannot be implemented and claimed in non-software form. Claim 1 recites "a routing device ... comprising: at least one interface for receiving and transmitting data packets; a set of routing processors ... ." Since a "device" is neither commonly understood in the art to be software, nor defined in the Specification to be software, claim 1 is not a non-statutory computer program. Note also that the set of routing processors in the claim body is similarly not a non-statutory computer program. Claim 9 recites "an apparatus ...

comprising: …a set of routing protocol processors … ." Since an "apparatus" is neither commonly understood in the art to be software, nor defined in the Specification to be software, claim 9 is not a non-statutory computer program. Note also that the set of routing processors in the claim body is similarly not a non-statutory computer program. Claim 14 recites "a communication system comprising at least one routing device … at least one interface for receiving and transmitting data packets; a set of routing processors." Since a "routing device" is neither commonly understood in the art to be software, nor defined in the Specification to be software, claim 14 is not a non-statutory computer program. Note also that the set of routing processors in the claim body is similarly not a non-statutory computer program. Withdrawal of the rejection of claims 1-3, 7-10 and 13-18 under 35 U.S.C. §101 is therefore requested.

Claims 1-19 were rejected under 35 U.S.C. §102(b) as being anticipated by Culler. In particular, the Office suggests that switches for routing packets based upon the port specified in the message are taught in sections 10.6 and 10.7. Rather than focusing on that limitation, which is not actually recited in the independent claims, the focus should be on claim limitations such as: exclusive association of particular processors with particular protocols in a multi-protocol, multi-processor routing device. Applicant has reviewed sections 10.6 and 10.7 of Culler and is unable to find a teaching of exclusive association of processors with particular protocols as recited in the claims. The cited sections are largely devoted to a high level description of switch operation without reference to specifics such as processor implementations. There is some discussion of pin pitch and other mechanical considerations, but not use of dedicated processors for particular protocols. Routing logic associated with each input port is discussed at page 805. However, there is no teaching that each routing logic module execute a different protocol. It seems reasonable to assume that what is actually described at page 805 is the well known technique of

distributing routing processing to line cards. In this known technique the particular protocols are not exclusively associated with particular processors in a multi-protocol, multi-processor configuration. Claim 1 therefore distinguishes Culler by reciting "a set of routing processors coupled to the at least one interface, including a first routing processor exclusively associated with a first routing protocol for determining a set of routes, and a second routing processor exclusively associated with a second routing protocol for determining a set of routes." Claims 9 and 14 recite similar language. Claims 2-8, 10-13, and 15-19 are dependent claims which further distinguish the invention, and which are allowable for the same reasons as their respective base claims. Withdrawal of the rejections of claims 1-19 is therefore requested.

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Applicants' Attorney at the number listed below so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

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